

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:	:
FRANK P. ZABROSKY, JR.	: BANKRUPTCY NO. 19-11164-JCM
VICTORIA A. ZABROSKY,	:
Debtors	:
	: CHAPTER NO. 13
FRANK P. ZABROSKY, JR.	:
VICTORIA A. ZABROSKY,	:
Movants	: DOC. NO.
	:
vs.	:
	:
RONDA J. WINNECOUR, ESQ.,	:
CHAPTER 13 TRUSTEE,	:
Respondent	:

SETTLEMENT AND CERTIFICATION OF COUNSEL REGARDING  
AMENDED CHAPTER 13 PLAN

The undersigned hereby certifies that agreement has been reached with the respondent(s) regarding the Stipulated Order Modifying the Plan filed on December 14, 2022.

The undersigned further certifies that:

\_\_\_\_\_ An agreed order and a redline version showing the changes made to the order originally filed with the court as an attachment to the motion is attached to this Certificate of Counsel. Deletions are signified by a line in the middle of the original text (strikeout) and additions are signified by text in italics. It is respectfully requested that the attached order be entered by the Court.

XXX No other order has been filed pertaining to the subject matter of this agreement.

\_\_\_\_\_ The attached document does not require a proposed order.

Dated: September 12, 2023

By:/s/ Gary V. Skiba  
Gary V. Skiba, Esq.  
300 State Street, Suite 300  
Erie, PA 16507  
814/456-5301  
PA Attorney ID No. 18153  
Attorney for Debtors

50860-bkr

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**IN RE:**

**FRANK P. ZABROSKY, JR.  
VICTORIA A. ZABROSKY**

**Case No. 19-11164-JCM**

**Chapter 13**

**Debtor(s).**

---

**STIPULATED ORDER MODIFYING PLAN**

**WHEREAS**, this matter is being presented to the Court regarding

***[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:***

- ☐ a motion to dismiss case or certificate of default requesting dismissal
- ☒ a plan modification sought by: the debtors.
- ☐ a motion to lift stay  
as to creditor \_\_\_\_\_
- ☐ Other: \_\_\_\_\_

**WHEREAS**, the parties having agreed to settle the matter above conditioned on the terms herein, based on the records of the Court, and the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

**IT IS HEREBY ORDERED** that the

***[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]***

- ☐ Chapter 13 Plan dated \_\_\_\_\_
- ☒ Amended Chapter 13 Plan dated December 14, 2022.

is modified as follows:

***[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]***

- ☒ Debtor(s) Plan payments shall be changed from \$2,895.00 to \$2824.00 per month, effective immediately; and/or the Plan term shall be changed from \_\_\_\_\_ months to \_\_\_\_\_ months.

- ☐ In the event that Debtor(s) fail(s) to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court and serve upon Debtor(s) and Debtor(s)' Counsel a notice of default advising the Debtor(s) that they have 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtor(s) fail(s) to cure the defaults in payments after having been provided notice under the provision of this Stipulated Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings or case may thereafter be dismissed without prejudice and without further hearing or notice.
- ☐ Debtor(s) shall file and serve \_\_\_\_\_ on or before \_\_\_\_\_.
- ☐ If any of the foregoing is not completed by the date specified, the case may be dismissed without prejudice without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.
- ☐ If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as \_\_\_\_\_ may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.
- ☒ Other: No additional payments shall be made to Capital One in light of full payment by debtors' insurer per this Court's order of August 31, 2023, Doc. No. 58.

**IT IS FURTHER ORDERED** that to the extent any creditor opposes the relief contained herein, such creditor must file an objection to the same within fourteen (14) days hereof. Should such an objection be timely filed, the Court shall conduct a *de novo* hearing regarding the appropriateness of this Stipulated Order. Should no objection be timely filed, this Stipulated Order shall be deemed final without further notice and/or opportunity for a hearing.

**IT IS FURTHER ORDERED** that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect. The filing party represents to the Court that all affected parties have been notified.

*[Remainder of Page Intentionally Left Blank]*

**SO ORDERED**, this \_\_\_\_ day of September, 2023.

Dated: \_\_\_\_\_

\_\_\_\_\_  
John C. Melaragno, Judge  
United States Bankruptcy Court

Stipulated by:

/s/ Gary V. Skiba  
Gary V. Skiba, Esq.  
Counsel to Debtors

Stipulated by:

/s/ Owen Katz  
Counsel to Chapter 13 Trustee

cc: All Parties in Interest to be served by Clerk